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OFFICE OF PETITIONS
A.P.E. LTD.

In re Application of :
Chau Nguyen, et al. :
Application No. 09/190,961 :
Filed: November 12, 1998 :
Attorney Docket No. AM-888/T-020 :

ON PETITION

This is a decision on the petition under 37 CFR 1.137(b), filed July 2, 2001, to revive the above-identified application.

The petition is **GRANTED**.

The above-identified application became abandoned for failure to reply within the meaning of 37 CFR 1.113 in a timely manner to the final Office action mailed December 5, 2000, which set a shortened statutory period for reply of three (3) months. Three (3) months extension of time under the provisions of 37 CFR 1.136(a) were obtained. Accordingly, the above-identified application became abandoned on June 6, 2001.

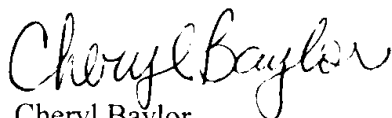
37 CFR 1.137(b)(3) requires a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional. If the statement contained in the instant petition varies from the language required by 37 CFR 1.137(b)(3), the statement contained in the instant petition is being construed as the statement required by 37 CFR 1.137(b)(3) and petitioner must notify the Office if this is **not** a correct interpretation of the statement contained in the instant petition.

There is no indication that the person signing the instant petition was ever given a power of attorney or authorization of agent to prosecute the above-identified application. However, in accordance with 37 CFR 1.34(a), the signature of Roger T. Barrett appearing on the petition shall constitute a representation to the United States Patent and Trademark Office that he is

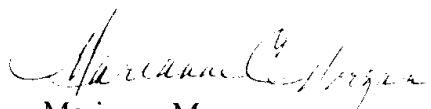
authorized to represent the particular party in whose behalf he acts. However, if Robert T. Barrett desires to receive future correspondence regarding this application, the appropriate power of attorney or authorization of agent must be submitted. A courtesy copy of this decision is being mailed to petitioner. Nevertheless, all future correspondence regarding this application file will be directed solely to the address of record until otherwise instructed.

Telephone inquiries concerning this decision should be directed to Cheryl Baylor at (703)308-5111, or in her absence, Marianne Morgan at (703)306-3475.

The application file is being forwarded to Technology Center 1700 for processing the Request for Continued Examination under 37 CFR 1.114 filed with the instant petition.



Cheryl Baylor
Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy



Marianne Morgan
Petitions Examiner

cc: TOWNSEND AND TOWNSEND AND CREW LLP
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